

### **REMARKS**

This responds to the Office Action mailed on October 5, 2007.

Claims 1, 5-16, 18, 20, 33, 40-43, 59, and 71 are amended, claims 2-4 are canceled, no claims are added; as a result, claims 1 and 2-87 are now pending in this application.

#### **§112 Rejection of the Claims**

Claims 1-87 were rejected under 35 U.S.C. § 112, first paragraph, as lacking adequate description or enablement. Claims 1, 20, 33, 40, 59, and 71 were amended. It is submitted that the rejection has been overcome.

Claims 1-19, 33-58, 71-79, 82-84, and 87 rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. Independent claims 1, 20, 33, 40, 59, and 71 were amended. It is submitted that the rejection has been overcome.

#### **§103 Rejection of the Claims**

Claims 1-5, 7-34, 36-44, 46-72, and 74-77 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Carter et al. (U.S. 5,418,945) in view of Fabbio (U.S. 5,335,346).

Carter is directed at providing a hybrid database that combines the features of commercial databases and source code control systems (Carter, 2: 48-50). Fabbio is directed at a system and method that provides an access control list (ACL) that spans across object boundaries in an object oriented database (Fabbio, Abstract). Carter and Fabbio whether considered separately or in combination, fail to disclose or suggest a method where the locked status of a portion of a data set maintained by a first entity is reversed to an unlocked status, at a second entity, when the data set is transmitted to that second entity. (The locked status signifying data being available for modification and the unlocked status signifying data being protected from modification.) The combination of Carter and Fabbio fails to disclose or suggest a method where the unlocked status of a portion of a data set maintained by a first entity is reversed to a locked status, at a second entity, when the data set is transmitted to that second entity. Thus, the

combination of Carter and Fabbio fails to disclose or suggest a method comprising "defining a stored data set maintained by a first entity of a computer system to include a locked data set and an unlocked data set, the stored data set being stored in memory, the unlocked data set being available for modification and the locked data set being protected from modification; transmitting the locked data set and the unlocked data set to a second entity; and reversing the locked data set and the unlocked data set at the second entity, such that the locked data set becomes an unlocked data set being available for modification and the unlocked data set becomes a locked data set being protected from modification," as recited in claim 1 as amended. Because the combination of Carter and Fabbio fails to disclose or suggest all elements of claim 1, claim 1 and its dependent claims are patentable and should be allowed.

Claim 40, as amended, recites instructions operable to cause a programmable processor to "define a stored data set maintained by a first entity of a computer system to include a locked data set and an unlocked data set, the stored data set being stored in memory, the unlocked data set being available for modification and the locked data set being protected from modification; transmit the locked data set and the unlocked data set to a second entity; and reverse the locked data set and the unlocked data set at the second entity, such that the locked data set becomes an unlocked data set being available for modification and the unlocked data set becomes a locked data set being protected from modification." Claim 40, therefore and its dependent claims are patentable in view of the combination of Carter and Fabbio for at least the reasons articulated with respect to claim 1.

The combination of Carter and Fabbio fails to disclose or suggest a method comprising "receiving, from a first entity of a computer system, a copy of a master data set, the master data set including locked and unlocked data and being stored in memory, the received copy of the master data set including locked and unlocked data, the locked data in the received copy of the master data set corresponding to the unlocked data in the master data set and the unlocked data in the received copy of the master data set corresponding to the locked data in the master data set," as recited in claim 33 as amended. Because the combination of Carter and Fabbio fails to disclose or suggest all elements of claim 33, claim 33 and its dependent claims are patentable and should be allowed.

The combination of Carter and Fabbio fails to disclose or suggest "transmitting a copy of the master data set with indications of the permissions to the second entity, the transmitted copy of the master data set including locked and unlocked data, the locked data in the transmitted copy of the master data set corresponding to unlocked data in the master data set in the first entity and the unlocked data in the transmitted copy of the master data set corresponding to locked data in the master data set in the first entity," as recited in claim 20 as amended. Because the combination of Carter and Fabbio fails to disclose or suggest all elements of claim 20, claim 20 and its dependent claims are patentable and should be allowed.

The combination of Carter and Fabbio fails to disclose or suggest instructions operable to cause a programmable processor to "transmit a copy of the master data set with indications of the permissions to the second entity, the transmitted copy of the master data set including locked and unlocked data, the locked data in the transmitted copy of the master data set corresponding to unlocked data in the master data set in the first entity and the unlocked data in the transmitted copy of the master data set corresponding to the locked data in the master data set in the first entity," as recited in claim 59 as amended. Because the combination of Carter and Fabbio fails to disclose or suggest all elements of claim 59, claim 59 and its dependent claims are patentable and should be allowed.

The combination of Carter and Fabbio fails to disclose or suggest instructions operable to cause a programmable processor to "receive, from a first entity, a copy of a master data set with permissions for using the master data set, the master data set including locked and unlocked data, the first permissions allowing changes to the unlocked data and access but no changes to the locked data, the permissions-indicating operations that may be performed on the unlocked locked data and applications that the second entity may use for manipulating the unlocked data, the received copy of the master data set including locked and unlocked data, the locked data in the received copy of the master data set corresponding to unlocked data in the master data set in the first entity and the unlocked data in the received copy of the master data set corresponding to the locked data in the master data set in the first entity," as recited in claim 71

as amended. Because the combination of Carter and Fabbio fails to disclose or suggest all elements of claim 71, claim 71 and its dependent claims are patentable and should be allowed.

### **Reservation of Rights**

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action, however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

### **CONCLUSION**

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney 408-278-4052 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116 – EXPEDITED PROCEDURE

Serial Number: 10/622,360

Filing Date: July 17, 2003

Title: Collaborative design process

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Dkt: 2058.213US1

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: MS RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 6<sup>th</sup>, day of December 2007.

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